

APPEAL NO. 021769
FILED AUGUST 22, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et. Seq.* (1989 Act). A contested case hearing was held on June 13, 2002. The hearing officer determined that the designated doctor's amended report is entitled to presumptive weight and that the respondent's (claimant) impairment rating (IR) is 18% pursuant to that amended report. The hearing officer further determined that the claimant reached maximum medical improvement on May 4, 1999, the statutory date. The appellant (carrier) appealed the IR determination and the claimant responded, urging affirmance.

DECISION

Affirmed.

The carrier argued the case on the basis of whether the amended 18% IR report was done for a proper purpose. The Texas Workers' Compensation Commission (Commission) adopted Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 130.6(i) (Rule 130.6(i)), effective January 2, 2002. Rule 130.6(i) provides that a designated doctor's response to any Commission request for clarification is considered to have presumptive weight, as it is part of the designated doctor's opinion. In Texas Workers' Compensation Commission Appeal No. 013042-s, decided January 17, 2002, we held that Rule 130.6(i) "does not permit the analysis of whether an amendment was made for a proper purpose or within a reasonable time." We consider Rule 130.6(i) and Appeal No. 013042-s as dispositive of this case with the designated doctor's amended report of an 18% IR having presumptive weight. The hearing officer did not err in giving presumptive weight to the 18% IR in the designated doctor's amended report in accordance with Rule 130.6(i) and Appeal No. 013042-s, *supra*.

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **TRAVELERS INDEMNITY COMPANY OF CONNECTICUT** and the name and address of its registered agent for service of process is

**CT CORPORATION
350 NORTH ST. PAUL
DALLAS, TEXAS 75201.**

Daniel R. Barry
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Gary L. Kilgore
Appeals Judge